

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KENNETH R. SPLOND,

Plaintiff,

v.

MORAN, et al.,

Defendants.

Case No.: 2:23-cv-01391-RFB-DJA

ORDER

On August 31, 2023, pro se plaintiff Kenneth Splond, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983 and applied to proceed *in forma pauperis*. (ECF Nos. 1, 2). The action was transferred to this district on September 7, 2023. (ECF No. 4). Plaintiff's application to proceed *in forma pauperis* is incomplete because he failed to include a financial certificate and an inmate trust fund account statement for the previous six-month period. If Plaintiff wishes to proceed with this action, he must either pay the required filing fee or file a complete application to proceed *in forma pauperis*.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. LSR 1-2.

1 *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the
2 filing fee, it just means that the inmate can pay the fee in installments. See 28 U.S.C.
3 § 1915(b).

4 It is therefore ordered that Plaintiff has **until November 10, 2023**, to either pay the
5 full \$402 filing fee or file with the Court: (1) a completed financial certificate that is signed
6 both by the inmate and the prison or jail official and (2) a copy of the inmate's trust fund
7 account statement for the previous six-month period.

8 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
9 he fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to
10 refile the case with the Court, under a new case number, when he can file a complete
11 application to proceed *in forma pauperis* or pay the required filing fee.

12 The Clerk of the Court is directed to send Plaintiff Kenneth Splond the approved
13 form application to proceed *in forma pauperis* for an inmate and instructions for the same.

14 DATED this 11th day of September 2023.

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UNITED STATES MAGISTRATE JUDGE